

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Claim 1 (previously amended):**

1. A method for determining the level of a carbonated fluid in a container comprising:

obtaining a container having an outlet for a first carbonated fluid and an inlet for introducing carbon dioxide;

said container having a first carbonated fluid region therein;  
a first carbonated fluid being present at an original level in said first carbonated fluid region of said container;

said container, for when in use, having said first carbonated fluid at least partially removed from said container while introducing carbon dioxide to said container thereby forming a second carbonated fluid region;

~~mounting~~ placing on at least one exterior surface of said container at least one temperature-measuring device in the form of an elongated thin strip;

at least one said temperature-measuring device being located in a region of said container where said second carbonated fluid region is formed by removal of said first carbonated fluid;

initially observing a first temperature in said first carbonated fluid region of said container when said first carbonated fluid is present in said first carbonated fluid region of said container;

subsequently observing a second temperature in said second carbonated fluid region of said container after a portion of said first carbonated fluid has been removed;  
and,

correlating the difference between said first temperature and said second temperature to the level of said first carbonated fluid in said container.

Claim 2 (amended): The method for determining the level of said first fluid in said container according to claim 1 wherein said first carbonated fluid is a liquid and is at least partially withdrawn through said outlet between the time of observing said first temperature and said second temperature.

Claim 3 (canceled).

Claim 4 (previously canceled).

Claim 5 (previously canceled).

Claim 6 (amended): The method for determining the level of said first carbonated fluid in said container according to claim 1 wherein said temperature-measuring device is adhered to an outer surface of said container as a magnetic strip.

Claim 7 (previously canceled).

Claim 8 (amended): The method for determining the level of said first carbonated fluid in a container according to claim 1 wherein at least one temperature-measuring device is a eutectic temperature-measuring device.

Claim 9 (previously canceled).

Claim 10 (amended): The method for determining the level of said first carbonated fluid in said container according to claim 1 wherein said container is in a refrigerator.

Claim 11 (canceled).

Claim 12 (previously canceled).

Claim 13 (amended): The method for determining the level of said first carbonated fluid in said container according to claim 1 additionally comprising the step of wiping the temperature-measuring device with a water moistened cloth wherein the temperature of the water moistened cloth is less than 105 ° F.

Claim 14 (amended): The method for determining the level of said first carbonated fluid in said container according to claim 1 wherein the pressure within said container at 70 °F is about 5 pounds per square inch to about 100 pounds per square inch.

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Inventors: Hadala, Anthony      Examiner: Jackson, A.      TC A/U: 2856  
Title: A Temperature-Sensing Device for Determining the Level of a Fluid Docket: 1181-01

Claim 15 (canceled):

Claim 16 (canceled):

Claim 17 (amended): The method for determining the level of said first carbonated fluid in said container ~~temperature-measuring device~~ according to claim 1 ~~15~~ wherein said ~~temperature-measuring~~ device measures temperatures in the range of about 34 ° F to about 94 ° F.

Claim 18 (amended): The method for determining the level of said first carbonated fluid in said container ~~temperature-measuring device~~ according to claim 1 ~~15~~ wherein said ~~temperature-measuring~~ device measures temperatures in the range of about 34 ° F to about 86 ° F.

Claims 19 through 33 (cancelled).